Case 1:02-cv-00062-SAS

Document 37-25

Filed 09/15/2003

Page 1 of 1

Sent by: 215 EAST 9th STREET

513 651 2570;

11/20/0: 12:03PM; JetFax #467; Page 2/2

FREKING & BETZ

Attorneys At Law

RANDOLPH H. FREKING-SHRILA M. SMITH MARK W. NAPIER-

CAROL S. WOOD

Marsha Calloway-Camprell.

CARRIE ATKINS BARRON**
KELLY MULLOY MYERS*

MEGAN E. CLARK GEORGE M. REUL, JR. RERECCA N. ALGENIO 215 East Ninth Street Fifth Floor Cincinnati, Ohio 45202

TELEPHONE: 518-721-1975 FACSIMILE: 513-651-2570

www.frekingandbetz.com RFrcking@frekingwidbetz.com 50 East RiverCenter Boulevard Suite 400 Covington, Kentucky 41011

> TELEPHONE: 869-292-2510 FACSIMILE: 513-651-2570

*Also Admitted in Kentucky
**Also Admitted in Indiana and Illinois

November 20, 2001

VIA FACSIMILE ONLY 651-6981

David Croall, Esq. Frost Brown Todd 2200 PNC Center 201 East Fifth Street Cincinnati, Ohio 45202-4182

Rc:

Doug Baillie/Chubb & Son

Dear Dave:

I received your telephone message yesterday indicating that you have been contacted by Chubb. Frankly, I had just printed out the final version of the Complaint with the intent on filing it today since I had not heard from Chubb.

Please call me as soon as possible so that we can set up a meeting to discuss the matter, if your client is willing to discuss the matter at all.

Sincerely,

Randolph H. Freking

RHF/klp

cc: Mr. Doug Baillie

EXHIBIT

43

EXHIBIT